

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNIVERSAL PROTECTION SERVICE, LLC
D/B/A ALLIED UNIVERSAL SECURITY
SERVICES

Plaintiffs,

v.

SALIH KOC

Defendants.

Case No.: 1:23-cv-10617

~~PROPOSED~~ **STIPULATED ORDER FOR
PERMANENT INJUNCTION**

Plaintiffs Universal Services of America, LP and Universal Protection Service, LLC d/b/a Allied Universal Security Services (“Plaintiff” or “Allied Universal”), and Defendant Salih Koc (“Defendant” or “Koc”) stipulate to the entry of this Order for Permanent Injunction (“Stipulated Order”) to resolve all matters in dispute in this action between them.

THEREFORE, IT IS ORDERED as follows:

FINDINGS

1. This Court has subject matter jurisdiction over this proceeding under 28 U.S.C. §1331, in that Allied Universal’s claims arise under the federal Defend Trade Secrets Act (“DTSA”), 18 U.S.C. § 1836, et seq.

2. This Court also has Diversity Jurisdiction over this proceeding under 28 § U.S.C. §1332 in that there is complete diversity of citizenship among the parties and the amount in controversy exceeds \$75,000.

3. The Court has supplemental jurisdiction over Allied Universal's state law claims under 28 U.S.C. § 1367, because those claims are so related to Allied Universal’s federal claims that they form part of the same case or controversy.

4. Venue is proper as to all parties in this District under 28 U.S.C. §1391(b)(2), because a substantial part of the events took place at Allied Universal's office in Manhattan, which

is inside this judicial district.

5. There exists a justiciable controversy concerning the terms of an employment agreement between the parties and compliance therewith.

6. Defendant neither admits nor denies any of the allegations in the Complaint, except as specifically stated in this Stipulated Order. Only for purposes of this action, Defendant admits the facts necessary to establish jurisdiction.

7. Defendant and Plaintiff waive all rights to appeal or otherwise challenge or contest the validity of this Stipulated Order.

INJUNCTIVE RELIEF

8. **IT IS FURTHER ORDERED** that Defendant Koc, and any person or entity acting in concert with him, be permanently enjoined from:

- a. Engaging in the marketing, sale, procurement, or provision of contract security services for any customer sites located within the borough of Manhattan for a period of nine (9) months from the date of this Stipulated Order. This restriction does not prevent Koc from being employed by an entity that engages in the marketing, sale, procurement, or provision of contract security services within Manhattan, provided that Koc does not market, sell, procure, or provide contract security services for any customer sites within the borough of Manhattan.
- b. Selling or providing any services or products to any restricted customers, that are competitive with the contract security services provided by Plaintiff for a period of twenty-four (24) months from the date of this Stipulated Order, including (1) any customer of Allied Universal with whom Koc had contact or communications at any time during Koc's last twelve (12) months as a Company employee; (2) any customer of Allied Universal for whom Koc supervised Allied Universal's account or dealings at any time during Koc's last twelve (12) months as an Allied Universal

employee; and/or (3) any customer of Allied Universal about whom Koc obtained any Confidential Information (as defined above) during Koc's last twelve (12) months as a Company employee.

- c. Using, sharing, disclosing, disseminating, or possessing any confidential information belonging to Allied Universal that Koc obtained while he was working for Allied Universal.
- d. Directly or indirectly hiring or soliciting any Allied Universal employee, for a period of twenty-four (24) months from the date of this Stipulated Order, including (a) hiring as an employee or as an independent contractor any person then-employed by Allied Universal; (b) recruiting, soliciting or encouraging any employee to leave his or her employment or engagement with Allied Universal; and/or (c) hiring or engaging any person employed by Allied Universal at any point during Koc's last six (6) months Allied Universal.
- e. Using, sharing, disclosing, disseminating or further misappropriating confidential information furnished to, obtained by, or created by Koc during his employment with Allied Universal, including but not limited to the documents below:
 - i. The Documents entitled: AUS Certificate.pdf (4.22 MB), Workers Compensation 101 - C240s and C11s form completion (002).pdf (1.92 MB), DailyPay Manager Guide _5_.docx (128.04 KB), Employee FAQs Daily Pay.pdf (216.62 KB), 20220524 - Unbilled hours engagement vF.pptx (719.71 KB), New Hires Not Working (12).xlsx (7.55 KB), Upcoming Unarmed SP License Expirations (Active Employees) (19).xlsx (28.44 KB), Interviews Scheduled - SP Detail (V2) (1).xlsx (32.69 KB), List of Academy Courses Missing to be 100% (18).xlsx (38.62 KB), Union EEs _ Working Non-Union Jobs (3).xlsx (88.59 KB), Union EEs _ No Hours Worked (10).xlsx (17.05 KB), UNION ROSTER CHANGE TIMELINES 5.30.23.pptx (468.3 KB), UNion Blank Dues Card (2).pdf (1.29 MB),

SSOBA blank card.pdf (1.1 MB), attached to an email sent on October 16th, 2023, at 11:45 AM, UTC.

- ii. Invoice information including past due balances and other information contained in an email sent on October 16, 2023 at 12:46:32 UTC, concerning Allied Universal luxury retail client, Khaite.
- iii. Invoice information including past due balances and other information contained in an email sent on October 16, 2023 at 12:46:55 PM, UTC, concerning Allied Universal client Jamestown Commercial Management.
- iv. Document entitled: AU Time-Off Request Form.pdf (103.96 KB), AUS Incident Report.pdf (25.32 KB), AUS Time Sheet 529.pdf (121.21 KB), Coaching-Counseling-Disciplinary Notice - Write-In (rev 8-2017).pdf (109.79 KB), Company Letter.pdf (44.12 KB), Contact Tracing Application Acknowledgment - Louis Vuitton.pdf (60.63 KB), Copy of Blank TIMESHEET.xlsx (17.83 KB), Copy of Blank Voucher silvertein properties Jamestown.xlsx (119.35 KB), Copy of Copy of Stop Payment Affidavit Form.xls (66 KB), Copy of New and update vendor form.xlsx (36.28 KB), Disciplinary Form.xlsx (51.81 KB), Disciplinary Matrix Guideline.pdf (53.41 KB), Employee Handbook - AU - SP.pdf (763.67 KB), Luxury Retail Training.pdf (83.92 KB), Luxury Retail Training2.pdf (153.22 KB), LV ONSTAGE 2020.pdf (725.92 KB), NYC Sexual Harassment Info Sheet.pdf (220.73 KB), NYC Health Dep. Form for State PSL Appendix B.pdf (210.42 KB), attached to an email sent on October 16, 2023 at 12:57:15 PM, UTC.
- v. Documents entitled: Vapon Assignment.pdf (14.46 KB), (AUS- Incentive Units Award Letter (Form of Award Letter) (2.7.2022)) (RCA-True).DOCX.pdf (476.62 KB), 20201120090405283.pdf (84.65 KB), 20220525081919832.pdf (167.42 KB), 20220525081940559.pdf (115.43

KB), Affirmation.pdf (19.82 KB), Aplication.pdf (157.42 KB), AUS T.E-P Card Request and Agreement Policy Rev. 3 - 7.15.19 EF.pdf (336.12 KB), Child.pdf (44.57 KB), Co-Habi YK.pdf (20.33 KB), Confidentiality Request Form.pdf (204.61 KB), Confidentiality.pdf (58.43 KB), DMV.pdf (570.65 KB), Elysewalker AMENDMENT TO SERVICE AGREEMENT Revised 2-14-23 (1) final.pdf (436.3 KB), Exhibit B.pdf (68.6 KB), Exhibit D.pdf (45.71 KB), Fingerprints.pdf (38.02 KB), goruntule.pdf (209.5 KB), Hampton Inn.Home2 Suites Times Square.docx (8.37 MB), Hampton Inn.Home2 Suites Times Square.pdf (2.67 MB), ID.pdf (62.81 KB), IMG_4186.heic (56.85 KB), Interview.pdf (254.29 KB), Koc Salih - RT Offer Letter (1).pdf (937.19 KB), KUYEYT TURK 11.docx (12.06 KB), License Division.pdf (25.47 KB), Nassau County Police Department.docx (11.99 KB), NJ SORO.JPG (100.95 KB), Passport.pdf (226.37 KB), Passport1.pdf (229.89 KB), Passport12.pdf (229.89 KB), Pay Stubb SK.pdf (50.51 KB), Paycheck.pdf (209.74 KB), Paycheck1.pdf (209.75 KB), Penal Law.pdf (17.58 KB), Referans.pdf (25.38 KB), Sabiha.jpg (389.11 KB), sabiha1.jpg (447.62 KB), Safe Guard.pdf (45.43 KB), Salih K.docx (14.6 KB), Salih K1.xlsx (13.48 KB), salih recommendation letter_.docx (12.82 KB), Salih_Koc_-_Allied_Universal_Incentive_Units_.pdf (702.36 KB), salih1.jpg (3.4 MB), salihA.jpg (770.71 KB), SalihP (2).jpg (88.58 KB), SalihP (3).jpg (70.76 KB), SalihP.jpg (93.06 KB), Silverstein.pdf (34.41 KB), SK Picture.pdf (26.63 KB), SK.jpg (732.75 KB), SK1.jpg (2 MB), SK-Licence.pdf (50.45 KB), SS.pdf (60.16 KB), Summary.pdf (280.1 KB), tapu.jpg (159.88 KB), attached to an email sent on October 16, 2023 at 1:00:42 PM, UTC.

- vi. Documents entitled: LVMH Action Plan - 09-08-2023.xls (126.5 KB), LVMH Security professional guidelines.docx (26.69 KB), FIRE

COMMAND STATION OPERATIONS.docx (15.48 KB), FSD.doc Fire duties.doc (29 KB), Security Desk check list.docx (13.75 KB), points log menu.docx (15.46 KB), attached to an email sent on October 16, 2023 1:08:01 PM, UTC.

- vii. Documents entitled: Worksheet in C Users salih.koc AppData Local Microsoft Windows INetCache Content.Outlook MFVW0QD3 Meeting Agenda - 04.21.2020.xlsx (117.61 KB), 05.14.20 - Luis vuitton New Vendor Request Form 2020.xlsx (723.57 KB), 12.15.21 - MARC0001 New and update vendor form.xlsx (35.24 KB), 2020 W9 SOS INTERMEDIATE HOLDING, LLC_ AN ALLIED UNIVERSAL COMPANY_Phildelphia.pdf (78.74 KB), Adobe Connect.lnk (1018 Bytes), AUS Temporary Security Professional Service Agreement (10-12-17).docx (80.3 KB), BM CRUZ NY MASTER 8-13-20.xlsx (32.78 KB), Copy of 202102_NY SSOBA SOS LV.xlsx (131.02 KB), Copy of BM CRUZ NY 10-2-NEW.xlsx (16.86 KB), Copy of Copy of Blank Monthly Badge Counts 2.xlsx (59.52 KB), Copy of Copy of Copy of Former SOS roster NEW.xlsx (241.39 KB), Copy of Former SOS roster.xlsx (239.61 KB), Copy of SK client.xlsx (50.62 KB), Copy of SOS Client Data Sheet - 02.15.2020 v1.xlsx (101.17 KB), Copy of SOS Wave 1 Employees-Ralph Cruz1.xlsx (104.01 KB), Copy of SOS_Employees.xlsx (1.49 MB), Copy of SSOBA - SOS transition roster_job validation.xlsx (166.4 KB), Copy of SSOBA SOS audit.xlsx (61.58 KB), Copy of Wage Collection Louis Vuitton RFP 4.28.20.xlsx (38.88 KB), Meeting Recap 12-15-16.pptx (534.01 KB), Meeting Recap Guide.doc (91.5 KB), attached to an email sent on October 16, 2023 1:07:33 PM, UTC.

- viii. Documents entitled: White Glove Customer Service (4).pptx (27.17 MB), Core Training Program Descriptions 2-17-22.pdf (181.54 KB), Luxury

Retail Training.pdf (83.92 KB), Be Calm and De.pdf (75.31 KB), Retail Post Orders.pdf (87.91 KB), attached to an email sent on October 16, 2023 at 1:09:53 PM, UTC.

- ix. Documents entitled: Allied Universal Security - Call Tree 1177 - 529 - 116.docx (80.92 KB), 116 Action Plan.xls (99 KB), sent on October 16, 2023 at 1:11:33 PM, UTC.
- x. Billing rates for security guards and other confidential client contact information for Namdar Realty Group contained in an email sent on October 20, 2023 at 1:17:01 PM, UTC.
- xi. Confidential client contact information for client Jamestown LP contained in an email sent on November 2, 2023 at 6:15:48 PM, UTC.
- xii. Document entitled: SK 1244f6ae-b8df-47ca-b64a-4645ad2fb3cb.pdf (135.25 KB), SK d3bc8212-5b46-405e-a077-c770026d4a4f.pdf (134.79 KB) attached to an email sent on November 4, 2023 at 3:40:28 PM, UTC.
- xiii. Confidential client contact information for luxury retail clients: Gucci, Givenchy, Celine, Valentino, Berlutti, and retailer Nintendo, contained in an email sent on November 8, 2023 at 7:48:59 PM.
- xiv. Confidential client contact information for luxury retail client Lululemon, sent on November 8, 2023 at 8:14:55 PM, UTC.
- xv. Documents entitled: Marmara - 32nd St. with FLSD - AUS Pricing Sheet 2024-1.pdf (104.36 KB), Marmara - AUS - Proposal.docx (5.3 MB), attached to an email sent on November 9, 2023 at 3:01:45 PM, UTC.
- xvi. Confidential client contact information for luxury retail clients Brunello Cucinelli, Khaite and Valentino, contained in an email sent on November 11, 2023 at 11:44:33 PM, UTC.

- xvii. Confidential client contact information for retail client Abercrombie & Fitch, contained in an email sent on November 11, 2023 at 11:50:02 PM, UTC.
 - xviii. Documents entitled: NJ Branch 4-4-18.xlsx (32.95 KB), New York DISPATCH DISTRIBUTION.xlsx (45.6 KB) containing a list of employees located in the Northeastern United States, working for SOS Security, a security services company acquired by Allied Universal, contained in an email sent on November 12, 2023 at 12:08:31 AM, UTC.
 - xix. A Document entitled NE Employee Information.xlsx (391.38 KB) and other confidential information containing a information about former SOS Security personnel, contained in an email sent on November 12, 2023 at 12:09:29 AM, UTC.
 - xx. Documents entitled: Mamara AUS Agreement.pdf (649.23 KB), Marmara - 32nd St. with FLSD - AUS Pricing Sheet 2024-1.xlsx (13.29 KB), contained in an email sent on November 14, 2023 at 1:49:12 PM, UTC.
 - xxi. Documents entitled: dos-0613-f-pi-bea-wgp-support-staff-employees-statement_02.2023.pdf (993.86 KB), On-The-Spot_Award.pdf (1.57 MB), The FNA Group.pdf (79.74 KB), Valentino 11-09.pdf (315.65 KB), Marmara - AUS - Proposal.docx (5.3 MB), Marmara - 32nd St. with FLSD - AUS Pricing Sheet 2024-1.pdf (104.36 KB), contained in an email sent on November 16, 2023 at 2:23:55 PM, UTC.
- f. The prohibitions contained in paragraphs c. and e. above shall remain in effect for a period of five (5) years from the date of this Stipulated Order.

ADDITONAL PROVISIONS

9. **IT IS FURTHER ORDERED** that Defendant shall pay Plaintiff a sum known to the parties, in installments, and in accordance with an agreement to be executed by the parties.

Defendant himself will execute a document swearing, under penalty of perjury, that he is not in possession of any of Allied confidential information, including, but not limited to a certain USB Drive, SanDisk Cruzer Glide USB Device, serial number 4C530001110829103230, or any Allied Universal documents stored thereon.

CONTINUING JURISDICTION

10. **IT IS FURTHER ORDERED** that this Court shall retain jurisdiction in this matter for purposes of construction, modification, and enforcement of this Stipulated Order.

11. This case is closed.

SO STIPULATED AND AGREED:

/s/ Ezra Alter
Ezra H. Alter, Esq
Martenson, Hasbrouck & Simon LLP
40 Exchange Place, Suite 1502
New York, NY 10005
(332) 345-2476
ealter@martensonlaw.com
Attorneys for Plaintiff

/s/ Christopher A. Raimondi
Christopher A. Raimondi
Raimondi Law, P.C.
552 Broadway
Massapequa, NY 11758
(516) 308-4462
craimondi@raimondi-law.com
Attorneys for Defendant

DATED: February 7, 2024



Honorable Dale E. Ho
United State District Judge
New York, New York

The Clerk of Court is respectfully requested to close the case.